



US Army Corps  
of Engineers®  
Norfolk District

## Elizabeth River Restoration Trust



# Media Advisory

FOR IMMEDIATE RELEASE –

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## \$5 million to clean Elizabeth's bottom

*Partners announce trust agreement, first payment;  
Visit proposed clean up of river's worst site*

**What: Announcement of Elizabeth River Trust for River Restoration  
and first deposit by APM Terminals**

On Friday, June 18, officials from the Elizabeth River Restoration Trust, U.S. Army Corps of Engineers and the Virginia Department of Environmental Quality will gather at the Elizabeth River Project offices to announce the signing of the **Operating Agreement for the Elizabeth River Restoration Trust (ERRT)** and receipt of the first deposit into the Trust, **\$5.3 million from APM Terminals**. Partners and scientific experts also will **tour the proposed first project** for use of the funds, clean up of Money Point, **the worst area of the Elizabeth River**.

**Where: Waterfront outside Elizabeth River Project office, 475 Water St.,  
Portsmouth**

**When: 12 noon**

Following the announcement, the media are invited to **proceed by boat to the proposed first project site, Money Point**. The boat will return by 2:30 p.m.

**Why Significant:** The ERRT will administer a groundbreaking new “In-Lieu-Fee” mitigation program to accept funds as mitigation for impacts from Corps and DEQ permits in the Elizabeth River watershed. All funds will go directly to projects within the same watershed.

ERRT proposes to use \$5 million of the funds to clean up contamination offshore of Money Point on the Elizabeth River’s Southern Branch in Chesapeake, where a recent VA Institute of Marine Science study found the highest known levels in the world of polycyclic aromatic hydrocarbons (PAH), correlated with cancer in fish. Experts will be on board the boat to discuss the history of the site and potential cleanup technologies. The remaining \$310,000 from APM Terminals will fund oyster reefs in the Elizabeth River.

ERRT is a new, independent non-profit established by The Elizabeth River Project to provide an option for mitigation of impacts to the river bottom.

This is the first time in the United States that an In-Lieu Fee (ILF) program has been initiated for the remediation of contaminated sediments. The ERRT is also the first ILF program in the Nation that will accept funds from impacts associated with dredging projects and will primarily focus on remediation of contaminated sediments from the bottom of a major river, such as the Elizabeth.

**Background:** When Corps and/or DEQ permits require mitigation for impacts to aquatic resources in Virginia, applicants generally have three choices – they may construct mitigation projects themselves; purchase mitigation bank credits; or pay into an ILF program. Using an ILF program is efficient for applicants and can save them time (and sometimes money) in fulfilling their mitigation requirements.

"DEQ enthusiastically supports use of In-Lieu Fee funds, as appropriate, as a viable mitigation alternative for projects impacting specific watersheds," said Frank Daniel, DEQ Regional Director, Tidewater. "This fund offers us an opportunity to pool resources to realize significant improvements to environmental quality within the Elizabeth River."

**Why Mitigate Bottom Impacts:** This is the first ILF program to provide mitigation for impacts to the bottom of a waterway where “benthic” or bottom-dwelling communities exist. These communities are the foundation of the aquatic food chain, hosting shellfish, worms and small fish that feed larger species. While the Trust sets a precedent by accepting mitigation for impacts to the river bottom from dredging, future dredging impacts will still be evaluated on a case-by-case basis. Not all dredging is considered detrimental to the environment and not all dredging should require mitigation, signatories agree.

**Additional Benefit:** The Elizabeth River Restoration Trust will allow monies from small mitigation efforts in the watershed to be pooled and used toward larger-scale restoration projects.

“Several ILF programs exist across the United States, including one statewide program in Virginia that has produced significant wetland mitigation projects and gains. We look forward to the same results from the ERRT,” said Col. Yvonne J. Prettyman-Beck, Norfolk District Commander. “The Trust provides a mechanism of addressing problem areas on the river that individual cities couldn’t otherwise address.”

**Who:** The Virginia Department of Environmental Quality, Elizabeth River Restoration Trust and the Norfolk District Corps of Engineers are signatories to the Operating Agreement. The Trust will operate within the Elizabeth River watershed in southeastern Virginia. The ERRT will develop mitigation proposals for the use of Trust monies. The ERRT will propose mitigation projects to the Corps and DEQ for their review and approval. Upon approval, the ERRT will use the funds from the Trust to accomplish the approved mitigation projects. In its formative stages, ERRT is contracting with The Elizabeth River Project

for project management and administrative services. The Elizabeth River Project also appoints the Board of Trustees of ERRT.

**First Payment to Trust:** APM Terminals this month became the first company to pay into the Elizabeth River Restoration Trust as part of its mitigation agreement for the filling and dredging associated with the construction of the new Maersk Sealand terminals in Portsmouth.

“The payment from APM Terminals represents a win-win for the port economy and for the river,” said Marjorie Mayfield Jackson, Executive Director of The Elizabeth River Project. “We are hugely excited to see this community finally in a position to clean up the worst site on the Elizabeth River.”

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